

OCT 31 2005

PROPOSAL NO. 55
(for Commission use)

2005-06 HONOLULU CHARTER COMMISSION
CHARTER AMENDMENT PROPOSAL FORM

1. Provide a brief description of the purpose of the proposed charter amendment; include a description of the problem the proposal would address and how the proposal would address the problem:

By vote of the electorate in the 1992 general election, the Revised Charter of the City and County of Honolulu was amended to limit the continuous service of city councilmembers to two consecutive four-year terms in office. Over the years, term limits have caused major turnovers in elected bodies in states such as California and Michigan; the impact was particularly severe in New York City, where 37 of the 51 city councilmembers were ineligible to run for re-election in 2001. Opponents of term limits have expressed that good government should have no time limits and that if elected officials are doing a good job, voters should be free to retain them in office for as long as the voters wish, which is the essence of democracy.

2. If applicable, list the charter provision(s) proposed to be deleted or amended:

Section 3-102. Number, Election and Terms of Office of Councilmembers

Section 16-122. Transitional Provisions on the Staggering of Councilmembers' Terms

3. If the proposal is based on a provision or provisions in the charter or law of another jurisdiction, name the jurisdiction and, if possible, attach a copy of the relevant provision(s).

4. If the proposal is based on any written materials you have, please attach a copy with a citation to its source.

See reverse of this form

5. Attach the text of the proposed charter amendment in Ramseyer format (see below).

Ramseyer Format:

If proposing an amendment to existing Charter provisions, indicate, by underscoring, any language being proposed to be added to the Charter and indicate, by bracketing, any language being proposed to be deleted from the Charter.

If proposing to replace existing Charter provisions in their entirety, clearly indicate the article(s), chapter(s) and/or section(s) of the Charter proposed to be deleted, and provide the text of any provisions proposed to replace the deleted material.

If proposing new Charter material only, provide the text of the new provision(s) and, if possible, indicate where in the Charter the new material should be inserted.

“Section 3-102. Number, Election and Terms of Office of Councilmembers --

The council shall consist of nine members. One member shall be elected from each of the nine districts hereinafter provided. Except as provided in Section 16-122, the regular terms of office of councilmembers shall be four years beginning at twelve o'clock meridian on the second day of January following their election. The terms shall be staggered in accordance with Section 16-122. [No person shall be elected to the office of councilmember for more than two consecutive four-year terms.]”

“Section 16-122. Transitional Provisions on the Staggering of Councilmembers' Terms --

1. The staggering of the terms of councilmembers shall commence on January 2, 2003 and be implemented in accordance with this section.

2. On January 3, 2001, the city clerk shall certify the total votes counted for all mayoral candidates in the special election at which the mayor was elected for the regular term commencing January 2, 2001. The city clerk shall transmit the certificate to the council chair and maintain in the clerk's office a copy available for public inspection during normal business hours.

(a) If the total votes counted, as certified by the city clerk, is an odd number, the councilmembers for council districts I, III, V, VII, and IX shall be elected to four-year regular terms commencing on January 2, 2003. Councilmembers for other districts shall be elected to two-year regular terms commencing on the same date.

(b) If the total votes counted, as certified by the city clerk, is an even number, the councilmembers for council districts II, IV, VI, and VIII shall be

elected to four-year regular terms commencing on January 2, 2003.
Councilmembers for other districts shall be elected to two-year regular terms commencing on the same date.

For the purpose of this subsection, a "vote counted" for a mayoral candidate shall not include ballots which are blank, spoiled or otherwise invalid in connection with the mayoral contest. "Special election at which the mayor was elected for the regular term commencing January 2, 2001" means either the first or second special election, held in conjunction with the 2000 primary or general election, at which a candidate for mayor was elected for the term commencing January 2, 2001. The phrase does not mean both the first and second special elections if a second special election was held.

3. After the expiration of the two-year regular terms established by this section, the subsequent regular terms of the pertinent councilmembers shall be subject to Section 3-102.

[4. Except as provided in the next paragraph, a person elected as councilmember to a two-year regular term in 2002 shall be eligible for election to two more consecutive four-year terms as councilmember.

A person elected as councilmember to a four-year regular term in 1998 and a two-year regular term in 2002 shall be eligible for election in 2004 to a four-year regular term as councilmember. Such a person, however, shall not be eligible for election in 2008 to a four-year regular term as councilmember.

A person elected as councilmember to two consecutive four-year regular terms in 1994 and 1998 shall not be eligible in 2002 for election as councilmember.]”

**Please submit this form and attachments by mail, e-mail, or fax.
Submissions are due October 31, 2005.**

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Thank you for participating in the charter revision process!